

REMARKS

This is in response to the pending Non-Final Office Action mailed on July 13, 2006. Claims 1-27 were pending and all pending claims were rejected by the Office Action. By this Response, claims 1-4, 8-20, and 22-27 are amended and claim 21 is canceled. All other claims remain unchanged.

Claims 1-8 and 27 stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicants regard as the invention. Applicants have made amendments to claims 1-4, 8, and 27 as suggested by the Office Action. In addition, the Applicants have amended claim 4 to convert it to an independent claim to address an alleged conflict between claims 1 and 4. As amended, claim 4 is directed toward an embodiment illustrated in FIG. 9 and discussed in the corresponding text on page 10 of the Application. In addition, the structure recited in claim 4 provides a define recitation of what the Applicants regard as the invention. Applicants believe that the claim amendments made to these claims render claims 1-8 and 27 definite and in compliance with § 112, second paragraph. Withdrawal of the rejection is respectfully requested.

Claims 9-19 stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point and distinctly claim the subject matter which the Applicants regard as the invention. With respect to claim 9, the Applicants have amended claim 9 to provide clear antecedent basis for the phrase "pivotal mounting." With respect to claim 10, the Applicants have amended the claim to correlate "the support" with a second attachment recited in claim 10. Applicants have amended claim 15 to recite that the first attachment is attached to the lift arm, while reciting that the attachment is free from attachment to the frame. Thus, the first attachment is positively recited as being attached to the lift arm, as it is in claim 9. Applicants respectfully submit that claim 15, because it identifies that the attachment is attached to the lift arm but not to the frame, is a complete and definite claim. In light of these

amendments, Applicants submit that claims 9-19 are definite and in compliance with § 112, second paragraph. Withdrawal of the rejection is respectfully requested.

Claims 21 and 23-26 stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicants regard as the invention. Claim 21 has been canceled, rendering the rejection moot. Claims 20 and 23-26 have been amended to address the concerns detailed in the Action. In light of the claim amendments made herein, Applicants submit that claims 23-26 are definite and in compliance with § 112, second paragraph. Withdrawal of the rejection is respectfully requested.

Claims 1-3, 5, 8, and 20 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Pat. No. 2,624,481 of Richey. Claim 1 is directed towards an attachment for a small loader. The loader has a frame and lift arms pivotally mounted to the loader frame. The lift arms are coupled to at least one actuator and have raiseable and lowerable outer ends. The attachment includes an attachment support, a first pivot for mounting the attachment support on at least portions of a loader lift arms to move therewith and "at least one solid link attached to the loader attachment support and attachable to other portions of the loader frame at first and second ends thereof." By contrast, the Richey reference has an attachment 28 that is coupled to a link 26 and links 35. Link 26 is coupled to an actuator and links 35 are not coupled to an actuator. Therefore, in the absence of any explicit assertion in the Office Action, the Applicants believe that one of the links 35 must be a solid link of the type recited in claim 1 for Richey to teach all of the recited elements of claim 1. However, each of the links 35 is attached to a series of links 36. Therefore, neither of the links 35 is a solid link attached to an attachment support and attachable to other portions of a loader frame at first and second ends thereof. In fact, the Richey reference indicates that at least one handle 37 extends from one of the links 35 and is operable to move link 35 and links 36 to cause the bucket 28 to be tilted forward, thereby teaching away from a solid link of the type recited in claim 1. Thus, Richey neither teaches nor suggests a solid link mechanism attached to the attachment support and loader frame of the type recited in claim

1. Applicants respectfully submit that claim 1 and its dependent claims 2, 3, 5, and 8 are therefore not anticipated by and are allowable over the Richey reference.

Independent claim 20 is directed toward a work attachment including a mounting connectable to a loader arm. The loader arm is pivotally connected to and movable relative to a loader frame. The mounting includes a support having a first pivot mount for operable pivotal mounting to the loader arm and a second pivotal mount for operable pivotal connection to a solid link mechanism. The solid link mechanism is operably connected to a support at one end and is adaptable to be pivotally mounted onto a portion of the loader frame at a second end. As with claim 1, claim 20 recites a solid link mechanism that is connected to a work attachment and connectable to the loader frame. Thus, as with claim 1, Richey fails to teach or suggest a solid link mechanism of the type recited in claim 20 for the same reasons given above. Thus, Applicants respectfully submit that claim 20 is not anticipated by Richey. Withdrawal of the rejection is respectfully requested.

Claims 9, 11, 13, 14, 20, 21, and 22-26 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by British reference 757,638. Claim 21 is canceled by this response, rendering the rejection moot. Independent claim 9 is directed toward a small loader comprising a frame adapted for movement over a supporting surface. The frame has at least one lift arm thereon that is pivotally mounted to the frame and has an outer forward end that is raiseable and lowerable under power. A first attachment is attached to the at least one lift arm at a pivotal mounting thereon that is adjacent to the rear of the outer forward end of the at least one lift arm. The attachment of the first attachment to the lift arm is such that the center of gravity of the first attachment moves to its rearmost position and rearwardly of the outer forward end of the at least one lift arm when the at least one lift arm is in the lowered position.

As is shown in FIG. 1 of the '638 reference, as the lift arms are raised, the attachment is moved rearwardly until it is positioned directly over the rearmost portion of the vehicle thereby shifting the center of gravity of the attachment rearward. Conversely, when the lift arm is lowered, the attachment is positioned in its forward most position. Thus, the '638 reference fails to teach or suggest a structure and attachment between an attachment and the lift

arm such that when the lift arm is in the lowest position the center of gravity of the first attachment is in its rearmost position. Instead, when the lift arm is in a lowered position, the center of gravity of the attachment in the '638 is in its forwardmost position. Therefore, Applicants submit that claim 9 and its dependent claims 11, 13, and 14 are not anticipated by the '638 reference.

Independent claim 20 is directed toward a work attachment comprising of a mount connectable to a loader arm. The loader arm is pivotally connected and moveable relative to the loader frame. The mounting comprises a support having a first pivot mount for operable pivotable mounting to the loader arm and a second pivot mount for operable pivotal connection to the solid link mechanism. The solid link mechanism is operably pivotally connected to the support at one end and adaptable to be pivotally mounted onto a portion of the loader frame at a second end. The portion of the loader frame in the first pivot mount are moveable relative to each other when the first pivot mount is mounted on the loader arm.

The '638 reference fails to teach or suggest a link and a loader arm that are both attached to the loader frame. The Office Action notes that link 11 of the '638 supports container pivots 16 and 12. However, claim 20 recites that a loader arm is pivotally connected to and moveable relative to the loader frame. In addition, the solid link mechanism of claim 20 is operably pivoted to the support at one end and is adaptable to be pivotally connected to a portion of the loader frame at the second end. Lift arm 18 is attached to a link 19 which, in turn, is attached to another link 17. Thus, the lift arm 18 is not connected to the frame of the loader.

In addition, the '638 reference fails to teach or suggest the feature recited in claim 20 of a second pivot mount for operable pivotal connection to the solid link mechanism. The Office Action indicates that link 11 is the link provided by the '638 reference and that it supports pivots 16 and 12. Applicants point out that although link 11 may be attached to the attachment at pivots 16 and 12, the combination of the two connection points between link 11 and attachment points 16 and 12 render the link solidly attached, that is, incapable of operable pivotal connection to the attachment mounting. The '638 reference admits as much on page 2, ll. 63-70 where it states that "the front end of each yoke arm 11 is slightly offset downwardly as shown, and is

provided with an extension 14 to which is pivoted one end of an adjustable screw link 15, the other end of which is pivotally connected at 16 to the back of the bucket 10 to adjustably hold it in operative position." (Emphasis added.) Thus, while there is an adjustable link 15 provided between link 11 and the attachment 10, when the attachment is actually in an operable condition, with link 15 attached, the bucket is held in that position during operation. Therefore, the link 11 is not "operably pivotally connected" to the attachment. Rather, it is attached so that it is held, that is, not able to move during operation. This clearly is not what is recited in claim 20. Thus, Applicants submit that claim 20 and its dependent claims 22-26 are not anticipated by the '638 reference. Withdrawal of the rejection is respectfully requested.

Claim 7 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Richey in view of U.S. Pat. No. 5,813,152 of Weight. Claim 7 depends indirectly from claim 1, which as discussed above, is believed to be allowable. Thus, Applicants submit that claim 7 is allowable based at least upon its dependence on claim 1. Withdrawal of the rejection is respectfully requested.

Claims 19 and 27 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over British reference 757,638 in view of U.S. Pat. No. 5,486,084 of Pittman et al. Claim 19 depends from claim 9 and claim 27 depends indirectly from claim 20, both of which are believed to be allowable for the reasons set forth above. Therefore, Applicants submit that claims 19 and 27 are allowable based on their dependence on allowable claims. Withdrawal of the rejection is respectfully requested.

In summary, the Applicants respectfully submit that, in view of the claim amendments and remarks made above, claims 1-20 and 22-27 are in condition for allowance. A Notice to that effect is respectfully requested.

Applicants have attached a Fee Calculation Sheet for the Amendment of claim 4 from a dependent claim to an independent claim and have provided payment for the fees in the amount of \$200. No other fees are believed to be necessary. However, the Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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